### DEVERY MANDAMUS FAILS.

HE'LL TRY AGAIN, HIMSELF PLAINTIFF AGAINST TAMMANY,

with a Specific Demand to Be Recognized as Leader of the Ninth Under the Primary Law-Court of Appeals 8 to I Against Him in the Garvey Suit.

By a decision of the Court of Appeals, handed down in Albany yesterday, Big Bill Devery, who has been trying to fight his way to the Tammany Hall Executive Committee through his right-hand man in the Ninth Assembly district, Peter J. Garvey, will have to fight his case through the courts all over again, with himself. instead of one of the general committeemen of his district, as the plaintiff.

The Court of Appeals has affirmed the decision of the Appellate Division of the Supreme Court, which reversed the order of the Supreme Court Special Term, requiring Tammany Hall to recognize an unnamed individual (Devery), as executive committeeman from the Ninth Assembly

he decision was not unexpected, as the The decision was not unexpected, as the Appellate Division was unanimous in turning Devery down and Devery's own lawyers had advised him that the Garvey action would not win. After the primary fight in the Ninth, in which Devery was victorious, his general committee, some 250 strong, marched to Tammany Hall and demonstrated the strength of the stre manacd recognition for themselves and for an executive committee man whom r would name. was of course understood that the

It was of course understood that the Executive Committeeman would be Devery, although Garvey, the spokesman, was careful not to mention any name. Devery's General Committee was recognized, but Leader Murphy, acting under legal advice and determined to freeze Devery out if possible, declined to admit to the Executive Committee a man to be named by the Committee a man to be named by the General Committeeman from the Ninth. A mandamus proceeding was then brought in which the Court of Appeals stands six to one against Garvey, Judge Bartlett dissenting. Judge Gray, who wrote the prevailing opinion, says:

wrote the prevailing opinion, says:

In the first place, the writ of mandamus will only issue to compel the performance of a specific and definite act. In this case the duty commanded to be performed was indefinite and of possible dispute or ambiguity, inasmuch as the person chosen for membership of the Executive Committee was not named.

In the second place, it appears that the relator and his associates from the Ninth Assembly district were not denied the exercise of their right as members of the General Committee, that they were accorded recognition and the right to vote upon all resolutions, except possibly upon the appointment of a committee on Credentials, because of a protest having been filed to the delegates from the Ninth Assembly district, although it was answered to the petition that that resolution was unanimously carried.

In the third place, the person chosen from the Ninth Assembly district as a member of the Executive Committee was not named, and no demand was made that any specific person should be recognized as the member of the Executive Committee.

Nor did any person make any demand to be recognized as the member of the Executive as the member of the Executive as the member of the Executive Committee.

of the Executive Committee.

Nor did any person make any demand to be recognized as the member of the Executive Committee chosen from the Ninth Assembly district. These reasons in my opinion made the issuance of a peremptory writ of mandamus an error for which the of the special term was properly re-

Judge Bartlett says in dissent: "The provisions of the primary election law were ignored, and for that reason I favor

reversal."
"I ain't surprised." Devery said at the Pump last night, "and I can tell you we are ready to fight the case all over again. If we lose this time, why, that ends it, but I don't think we will lose.

"Now, a good many people ask why I didn't go down to the General Committee and demand that I be recognized as a member of the Executive Committee. Maybe they don't remember the threats that Murphy and the gang were making against me then. Word was brought to me that they had a hundred policemen with night sticks in the building just wait-

with night sticks in the building just waiting for Devery to come down and make any kind of a demand.

"Now, I want to do things like a gentleman. If I can't do a thing nice and gentle, I don't want to do it at all. I figured that if I went down to that meeting there'd be trouble. Those hundred policemen with nightsticks was there for Devery.

"It would be playing into Murphy's hand to go down and give them a chance. So we fixed it for Garvey to demand recogwe fixed it for Garvey to demand recognition for the district on the Executive Committee. He made his demand in regular form, and, as we expected, he was turned down. Then we went into court, with the demand recog-

down. Then we went into court, with the result that you see.
"Now we will begin an entirely new action, with William S. Devery as the plaintiff, instead of Peter Garvey. There will be no unnamed person demanding recognition in this action. It will be Devery demanding to be admitted to the Executive Committee, and we will start in the Supreme Court and go right up to the top until we get our rights.

op until we get our rights. "Expecting this decision, we have ar-ranged with Tammany Hall to concede that I have made a formal demand for that I have made a formal demand for recognition. I never really made the de-mand, but so as to get the thing in shape for the courts Tammany Hall concedes that I have made the demand and refuses

to grant it.

Now for the Supreme Court just as soon as we can get the papers ready. They think they've got the shutters up for Devery down there on Fourteenth street, but they will find they've made a mistake. My name being in this case gives a different

turn to it than Garvey's name.

"I think them Judges will see the law in a different light when they find that the plaintiff is the man who demands recognition on the committee and has made his demand It will be mighty different

om the Garvey case. "The plaintiff this time is the man who The planting this time is the man who was elected to that committee by the votes of his district. We'll see if 5,700 electors can be disfranchised because of a spite against me. Maybe Murphy can do it, but I don't believe it."

#### Andrews-Bache.

Miss Sarah Louise Bache, daughter Vallace Page Bache, a vice-president of the Wallace Page Bache, a vice-president of the American Sheet Steel Company, at noon Yesterday became the bride of Charles Bradley Andrews of Pittsburg. The ceremony was performed by the Rev. Abbott E. Kitteredge, pastor of the Madison Avenue Reformed Church. The bride, attired in a sown of white chiffon over white satin and trimmed with point d'Alencon lace, and carrying a bouquet of white lilies of the valley, entered the parlors of the Bache residence, Anada Mayo Koso, at Bay Side, L. L., where the wedding was held, leaning on the arm of her father.

the wedding was held, leaning on the arm of her father.

Miss Emma Bache, a younger sister of the bride, was bridesmaid. She was attired in white silk mull and carried a bouquet of Cupid's sweet peas. Alexander S. Andrews, a brother of the bridegroom, was bestman. Mr. Andrews is a mechanical engineer and is employed by the corporation of which Mr. Bache is a vice-president. He is a graduate of Princeton and of the Cornell School of Mines. Mr. and Mrs. Andrews will reside in Wheeling, W. Va., after the return from their honeymoon trip.

#### Barciay-Venable.

Mrs. Louise Fontaine Venable, daughter of the late Edward Mitchell of Louisville, Ky., was married to Wright Barclay yesterday afternoon in the chance of the Transfiguration Church by the rector, the Rev. Dr. George C. Houghton. The bridegroom, who is a son of Mr. and Mrs. Henry A. Barclay, was assisted by his brother, Henry A. Barclay, Jr., as best man. The bride wore white crèpe de chine trimned with Irish lace and chiffon, and a lace hat with large plume. Among the invited guests were Mr. and Mrs. Henry A. Barclay, Jr., and Mrs. J. Steven Ulman, Mr. and Mrs. James L. Barclay, Miss A. Barclay, Mr. and Mrs. James L. Barclay, Miss A. Barclay, Mr. and Mrs. Chorles Paul, Mr. and Mrs. George Morgan, Mr. and Mrs. James Waldron and Mrs. Chorles Paul, Mr. and Mrs. Wright Barclay will go to the White Mountains for their honeymoon. he late Edward Mitchell of Louisville, Ky

#### Brown-Van Brunt.

In a point lace veil worn by her grandmother a century ago, Miss Florence mother a century ago, Miss Florence Parthenia Van Brunt was married to Mr. William Weed Brown in Christ Episcopal Church, Brooklyn, by the Rev. Dr. James Darlington last night. Miss Van Brunt is the daughter of Mr. and Mrs. John Clarkson Van Brunt of 100 Oakland street, and is a member of the old Knickerbocker Van Brunt family, one of the first families to settle in New Amsterdam.

#### R. B. MOLINEUX DEFEATED. He Cannot Get Back His Prison Photograph

by Mandamus. TROY, June 23. - Justice Howard has handed down his decision in the mandamus proceedings brought by Roland B. Molineux against Superintendent of State Prisons C. V. Collins to compel the latter to surrender to him photographs and measurements taken of him while he was in Sing Sing prison under sentence of death for the murder of Mrs. Kate Adams.

Justice Howard, who gave the application close study, says only two precedents can be found, that of Joyce against the superintendent of State prisons and that of "Doc" Owen against Partridge, as New York Police Commissioner. In both cases the application was denied on the ground that mandamus was not the proper proceeding.

Justice Howard holds that mandamus is not the proper remedy in the case; that the Superintendent of State Prisons is acting within the law in retaining the records sought to be recovered, and that to grant the writ would cause public inconvenience, as it would mar public records, and public convenience is to be considered in mandamus proceedings.

Justice Howard said this afternoon that Molineux's remedy, if there is any, is by suit for libel against the Superintendent of State Prisons, the theory being that the exposure of photographs and the maintenance of record measurements of Molineux might be construed as libellous.

#### MAY BUILD PORT CHESTER R. R. Court of Appeals Overrules New Haven

ALBANY, June 23 .- The Court of Appeals handed down a decision to-day upholding the permission granted by the State Railroad Commission to the Port Chester Electric Railroad Company to construct its road Railroad Company to construct its road from the Harlem River through Westchester county to Mount Vernon, New Rochelle and Port Chester. The new company is to construct a third rail surface road to connect with the rapid transit underground road. The New York, New Haven & Hartford Railroad Company opposed the construction of the Port Chester road on the ground that no public necessity demanded it.

STAY FOR MRS. TAYLOR.

She Will Not Re Executed for Six Months in Any Event.

ALBANY, June 23 .- The appeal of Mrs. Kate Taylor from the judgment of death found against her by the jury which tried her for the murder of her husband at their home in Monticelle, Sullivan county, was filed to-day with the Court of Appeals. She was sentenced to be executed during the week of July 6 at Clinton Prison. The appeal practically stays the execution

#### CAPT. DIAMOND LOSES.

#### Court of Appeals Affirms Police Officer's Conviction.

ALBANY, June 23 .- The judgment of conviction of Thomas J. Diamond, the New York city police captain who was convicted in November, at a trial held in Albany, of gross neglect of duty in permitting Lena Schmidt to conduct a disorderly house in his precinct, was affirmed to-day by the Court of Appeals. He was convicted mainly on the testimony of the proprietress of the establishment, and was fined \$1,000, which he paid

#### Destitute Crippled Children's Home.

ALBANY, June 23 .- "Young Tim" Sullivan s an incorporator in the New York Home is an incorporator in the New York Home for Destitute Crippled Children, which has asked permission of the State Board of Charities to found a home for destitute crippled children in New York city with out regard to race, color or religion. Among the other incorporators are Alfred J. Cammeyer, Mever W. Livingston, A. Louise Erlanger, Edward H. Price, Francis P. McQuade, Leo Schlesinger, J. H. Rothschild, John H. Duncan, Edward F. Albee, B. F. Keith, A. B. Erlanger, the Rev. Nathan A. Seagle, Annette B. Miller and Dora Duncan.

#### Miss Gillette Reappointed.

ALBANY, June 23 .- Gov. Odell to-day reappointed Miss Grace Gillette of 24 West Fortieth street, New York, as a member of the board of visitation for the Manhattan

CUNNEEN TO COLLEGE MEN. It's a Good World and Its Mainspring Is Energy-Even in Trusts.

Archbishop Farley presided in Carnegie Hall at the fiftieth commencement of Manhattan College last night. The degree of master of arts honoris causa was bestowed upon Senator John James Frawley, and the honorary degree of doctor of laws upon Justice Martin J. Keogh of the Supreme Court. The degree of bachelor of arts was conferred upon twelve students, that of bachelor of science upon eight, master of arts upon nineteen, master of science upon three, civil engineer upon five and commercial diplomas were given to nine

The address to the graduates was delivered by State Attorney-General Cun-

neen, who said:

"While we have colleges sending forth such gentlemen as those educated by Manhattan and other Catholic colleges, we have no cause to fear that our nation will not become distinct in its Christian civilization. There has never been a time in history when the world has been better than it is now. All the trusts, no matter how much capital they represent, depend upon energy, and the men who exert their upon energy, and the men who exert their energies are the men who receive the rewards.

"I want to dispel the discouragement. the dark clouds, which so many men are now spreading before the college men just entering upon their careers.

Cornerstone of Amherst's Observatory Laid. AMHERST. Mass., June 23.—The feature of commencement at Amherst was the laving of the cornerstone of the new observatory on Wilder Hill. The Rev. E. Winchester Donald of Boston read the Scriptures and Pr ' 4. F. Genung read a poem eman Palmer in 1898. written by from European astron-Letters of green ners were read. All the letters, includ-ing others from college presidents, a signed photograph of President Roosevelt and many photographs of local college interest were placed in a bronze box and sealed.

140 Degrees Granted at Wellesley.

WELLESLEY, Mass., June 23.-The commencement exercises at Wellesley were held in Memorial Chapel this forenoon. R. W. Gilder delivered the address. His was "Ideals of Life." President Hazard conferred degrees upon 149 candidates, eight of whom received that of master of arts. President Hazard said that during the past four years Wellesley had received over \$725,000.

PRISON TRUSTY A SUICIDE. Jumps From an Upper Tier of Cells and Is

Killed. Anthony Villiams, a "trusty" in the West Side police court prison, committed suicide at 7:30 o'clock yesterday morning by jumping from the third tier of cells to the floor. He struck on his head and received injuries from which he died half an hour after being

removed to Bellevue Hospital.

Villiams was a painter, 22 years old, and lived at 330 Henry street. He was arraigned before Magistrate Pool in the Essex Market police court on May 22 and committed to the workhouse for six months as a vagrant. On June 4 he was sent to work in the West

## BUILDING UNIONS FIGHT BACK.

GENERAL STRIKES TO BE CALLED AGAINST LEAGUE SHUT-DOWN.

file Layers and Helpers Begin-Strikes Carried to Other Cities-Plasterers and Plumbers Next-Won't Have Employers' Plan "Forced" on Them.

The labor unions in the building trades have begun to fight-back against the new league of employers to make them call off the shut-down on buildings as a preliminary to considering a plan of arbitration. The first aggressive move on the part of the unions was made yesterday by the tile layers' union, which ordered a general strike against the Grate, Tile and the Building Trades Employers' Association. The steamsitters' helpers and the plasterers' unions are expected to take similar action in a day or so, and other unions will follow them.

The union leaders have decided on this

course as the result of the conference be-

ween the building employers' committee nd the committee of the Board of Building Mechanics which discussed the employers' plan of arbitration on Monday night. The labor men regarded the closing remarks of Otto M. Eidlitz, to the effect that the plan must be adopted before the shut-down ended, as an ultimatum. Most of the delegates have so reported to their unions. The strike of the tile lavers' union. which is officially known as the Mosaic and Encaustic Tile Layers' Association, was ordered when this report was received at a meeting of its executive board beginning on Monday night and ending early yesterday morning. W. H. Farley, walking delegate of the union, said last night that the tile layers' helpers are striking with the tile layers. He said also that the tile layers in St. Louis, Cincinnati, Chicago, Philadelphia and other cities are out in all buildings and shops where members of the Building Trades Employers' Association

The tile layers' union is a small one, but the strongest of its class in the country There are only about 500 tile layers and There are only about 500 tile layers and 600 helpers altogether. Of these, 700 tile layers and helpers are in this city. The tile layers can earn from \$5 to \$7 in a day of eight hours. Their union in this city has a reserve fund of \$15,000 and their helpers' union a fund of \$25,000, but according to the strikers the International Tile Layers' Union will support the strikers. Farley, the tile layers' delegate, said yesterday:

hold contracts.

"The unions will all strike and remain out indefinitely rather than have this arbitration plan forced down their throats. What guarantee will we have of any modifi-What guarantee will we have of any modifi-cations if we adopt it before the shut-down is declared off? Until that is done as a guarantee of good faith the unions will not accept the plan in whole or in part." Some of the other union delegates said that the closing remarks of Chairman Eidlitz at last Monday night's conference meant that the unions were to be starved into submitting to the plan, and they pro-posed to make a fight against these tactics at once.

at once.

The Grate, Tile and Mantel Association met yesterday at the Building Trades Club. Secretary C. J. Bogert said:

"We have tried to find out the cause of the strike and have failed. We received no notice that a strike had been declared until it was actually on."

A member of the Building Trades Employers, Association said that if the unions

ployers' Association said that if the unions struck against the shut-down it couldn't be helped. It would make the fight longer, but the employers would stand by their

plan. "Until the unions accept that plan," he said, "we can have no guarantee of uninterrupted work. They will have to come to it, whether it takes one, two or six weeks." terrupted work. They will have to come to it, whether it takes one, two or six weeks."

Sam Parks, having been "vindicated" by the Housesmiths' Union by being reelected walking delegate, spent yesterday in bed. As to the effect his reelection will have on the building situation, John J. Donovan, walking delegate of the Plasterers' Union, said yesterday: "It will not affect matters in the slightest degree."

Parks will attend the meeting of the Board of Building Trades this afternoon.

Board of Building Trades this afternoon. The movement to reunite this board and its seceding members is still in progress, but the seceding unions say they will not renite unless the Building Material Drivers'

THE PAPER MILL STRIKE. Mills Employing 2,000 People May Be

Tied Up. GLENS FALLS, June 23 - The International Paper Company is conceding nothing to the strikers at the Fort Edward mill. Several departments are closed to-night, and noth-ing but the finishing room will be operated to-morrow and that will be closed by Thurs-day. The mill has a capacity of about

day. The mill has a capacity of about 150 tons of paper a day.

The men doing similar work in the other mills say they do not expect to strike in sympathy with the Fort Edward laborers.

The members of the Pulp, Sulphite and Paper Mill Workers' Union asked for increased wages to-day. The company will not advance wages and it is reported that the mills, employing 2,000 persons, will be tied up. be tied up.

800 Mirror Workers Go on Strike.

A strike of 800 mirror workers began vesterday in this city for union conditions and for an advance of from 15 to 20 per cent, in wages. The strikers belong to the In-ternational Association of Glass Workers.

Denounce the Pennsylvania Libel Law. ATLANTIC CITY N. J., June 23 .- At the first meeting of the convention of the Interrist meeting of the convention of the inter-national League of Press Clubs to-day the Salus-Grady libel law of Pennsylvania was strongly condemned. President Cur-ran of Boston denounced the law from the chair, and a resolution condemning it was unanimously adopted. The law was pronounced a disgrace to the State.

Presentation to Commissioner Willeas.

A number of friends of Park Commissioner Willcox gave a dinner to him a Martin's, Twenty-sixth street and Fifth avenue, on Monday night. The table was set in imitation of Central Park. Charles K. Lexow made the presentation speech which conveyed a diamond-set watchguard to Commissioner Willoox.

#### The Weather.

The atmospheric depression which spread in a trough from the Lakes to the Gulf of Mexico on Monday was drawn to a focus yesterday and had a well-defined centre which passed over the Lake regions into Canada attended by rainfall in the Middle Atlantic and New England States and high winds in the Lake regions and St. Lawrence Valley. Dense fog enveloped the coast north o Virginia, where the winds were blowing on shore. movement of this storm to the north Me Dunn says, means a general carrying away of the unsettled conditions which have preveiled for nearly two weeks. An area of high pressure was following and covered all the Central and South-ern States with clear weather yesterday. Washington is not so hopeful of settled weather. It was cooler in the Northern States, but after this morning it should grow warmer in all districts. In this city the day was rainy, with light fog wind, brisk easterly; average humidity, 92 per cent, barometer, corrected to read at sea level, at 8 A. M.,

29:83: 8 P. M., 29:83. The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table 9 A M ... (6° 60° 6 P. M ... 49° 12 M ... 58° 60° 6 P. M ... 56° 3 P. M ... 58° 69° 12 Mid ... 56°

WASHINGTON PORTCART FOR TO DAY AND TO MORROW For eastern New York and eastern Pennsylvania. rain to day and probably to morrow; fresh winds, For New Jersey, showers to day and probably to-morrow; fresh to brisk winds, mostly east.

For western New York, showers to day and probbly to morrow; fresh south winds becoming vari-

LABOR LEADERS SHUT OUT. Man and a Woman Who Will Not Be Re-em

ployed in Lowell. LOWELL, Mass., June 23.-President Conroy of the Textile Council and Mrs. Mary Fratus, leaders of the cotton mill strike find themselves decidedly on the "outside. Conroy went to the Massachusetts mills yesterday and applied for work as a beamer

but was turned down. Agent Southworth of the Massachusetts said to-day:
"Mr. Conroy has no claim whatever upon us. He quit our employ last February, and his machine was given away when he did not return. His purpose in offering himself was obviously that he might thereafter nose as a martyr. after pose as a martyr.

"We have refused employment to Mrs.

The have refused employment to alls. Frantus, the president of the union, because she brought strike methods into the mill. She marched into the overseer's office at the head of a dozen spinners and there Mantel Association and through it against made a speech exhorting them to stand the Building Trades Employers' Associafirm for their rights. They were ordered to leave the mill.

BAY STATE GAS ATTACHMENT. Action for \$15,000,000 Begun Against

the Boston Gas Light Company. NEW BEDFORD, Mass., June 23 .- At the Registry of Deeds an attachment for \$15,-000,000 has been filed against the Boston Gas Light Company and others by George W. Pepper of Philadelphia, receiver of the Bay State Company of Delaware. The bill of complaint has been filed in equity in the Supreme Judicial Court of Massachusetts.
The defendants named are the Boston Supreme Judicial Court of Massachusetts. The defendants named are the Boston Gas Light Company, the Roxbury Gas Light Company, the South Boston Gas Light Company and the Bay State Gas Company of Massachusetts; Henry H. Rogers of Fair Haven and FrederickW. Whitridge of New York, both individually and as trustees; the Merchantile Trust Company of New York; Eben H. Gay of Boston, treasurer of the Massachusetts Gas Company, and the Bay State Gas Company of New Jersey; George D. Hallock of New York, receiver of the Bay State Gas Company of New Jersey, and other individuals in their capacity as trustees of the Massachusetts gas companies. setts gas companies.

DIRECTOR OF DE LA SALLE DEAD Brother Anselm Had Been for Years an

Untiring Worker for Boys' Education. Brother Anselm, director of the De La Salle Institute and for years an untiring worker for the education of New York boys, died yesterday morning in St. Francis's Hospital, after suffering from a complication of diseases for two years. His death was the result of an operation performed last Saturday.

He was known in the world as George Stafford and was born in Albany 37 years ago, and entered the Christian Brothers ago, and entered the Christian Brothers order at the age of 14. He received the habit of his order before his twentieth year. He taught the lower classes at St. John's Academy at Albany for three years, and then came to New York, taking charge of the parochial school of old St. Patrick's Church. Later he took charge of the boys' division of the Catholic Protectory. Three years ago he went to Utica and established a boys' school. When he returned he assumed charge of the De La Salle Institute, in Second street, under the jurisdiction of which are fifteen parochial schools.

funeral will be held to-morrow The funeral will be neid to-morrow morning at the Church of the Nativity, in Second avenue, Mgr. Edwards officiating. The burial will be at the Academy of the Sacred Heart at Classon-on-Sound, the mother house of the Christian Brothers.

TIMOTHY GLEASON DEAD. A Brother of the Late Patrick J. Glesson

of Long Island City. Timothy Gleason, aged 65, a brother of the ate Patrick J. Gleason, the battle-axe Mayor of Long Island City, was found dead last evening in a furnished room he occupied whom won more or less fame and all of whom are now dead. He was born in Ireland and he took part in the Fenian uprising in 1867. He was in prison for three months. Afterward he came here. After he landed in America he was often sent on missions for the Irish cause. Another learning the most often the Irish cause. Another learning the learning of the Irish cause.

brother was Gen. Joseph Gleason, who served in the civil war and who is buried in Arlington Cemetery. His other brothers died in different parts of the country. Twin brothers died in California.

Mr. Gleason was much attached to his brother, the battle-ave Mayor, and the death of the latter was a great shock to him. For thirty years he was employed by the old Knickerbocker Ice Company, but on account of injuries he received three years ago by being trampled on by a horse he was incapacitated from active work and he lived on money he had saved. on money he had saved.

#### Obituary Notes.

Major A. L. Lallande, an American adventurer, is dead in Mexico. He was 35 years old turer, is dead in Mexico. He was 35 years old and a native of Michigan. Five years ago he wandered down to Guatemala, where, because of his courage, he was made chief of police of the republic. He became the right-hand man of President Cabrera, and protected him from assessination and revolutions. He became involved in many dangerous adventures, and was frequently arrested. He was shot from ambush three years ago. He went to New Orleans and had the bullets extracted through the X-ray operation. He disappeared from the city to nip a revolutionary movement at Mobile in the hud, leaving without settling his debts, which were subsequently paid by the Guatemalan Government. His death was due to drowning while in a suall canoe off Puerto Barrios.

The Hon, Asa French, for many years one were subsequently paid by the Guatemalan Government. His death was due to drowning while in a small canoe off Puerto Barrios.

The Hon. Asa French, for many years one of the leading lawyers in castern Massachusetts, died at his home in Braintree, died at his his his death the died at his his his death there was nothing in his condition to indicate that the end was near. Mr. Price was born on the outskirts of Newark, near Lyons Farms, and was a prominent member of the Methodist Church, being one of the founders and the original treasurer of St. Paul's Church, after having been an attendant at two other Methodist churches, walking from Waverley to Newark and back every Sunday and meeting night. He was married twice, and the second wife, whom he married in 1877, survives him, together with two sons by the first wife. He smoked moderately, but never chewed tobacco or drank.

Dr. Nathaniel P. Washburn, a well-known Connecticut physician, died on Monday in San Antonio, Tex. He had practised in Stamford for several years. Nearly ten years ago he developed tuberculosis. In 1895 he went to Saranac Lake, N. Y., and remained there a year. He then went to Afbuquerque, of the death in Santiago on April 22 of Diego of the death in Santiago on April 20 of Diego of the death in Santiago on April 20 of Diego of the death in Santiago on April 20 of Diego of the death in Santiago on April 20 of Diego of the death in Santiago on April 20 of Die

to Colorado Springs and other health resorts.
Mail advices from Chile have brought news
of the death in Santiago on April 22 of Diego
de Castro, who for some twenty years was a
prominent and successful commission merchant in New York. Mr. de Castro was bern
in Santa Marta, Colombia, in 1838. He married
in 1878, Miss Teresa Ortuzar Montt, of the
family of ex-President Montt of Chili. His
widow and ten children survive him.

widow and ten children survive him.
Frank A. Leonard, the oldest and one of the most famous auctioneers in Boston, died on Monday night at his apartments in Roxbury. Mr. Leonard had established for himself a reputation as a connoisseur in art. His father and practically all of his family had been engaged in the handling and selling at auction of some of the choicest works of art known in this country. art known in this country.

Benjamin F. Ingraham, up to ten years ago a lawyer practising in New York, died yesterday morning at the General Hospital, in Elizabeth, N. J., aged 70 years. Grief over the death of his wife, which occurred last fall, is said to have caused his fatal illness. He leaves two sons, one of whom lives in New York.

New York.

Capt. J. Black McMillin, brother of former Governor McMillin of Tennessee, died suddenly in Cleburne, Tex., yesterday. He was a noted Confederate soldier under Gen. Morgan, and when the latter was captured in Ohie McMillin made his escape.

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### COON COMEDY FOR THE KING.

WILLIAMS AND WALKER CAKE-WALK IN PALACE GARDENS.

And the Company Shoot Craps While Walt ing to Do Their Turns-Verdict o the Afro-Americans: King's the "Real Thing," and Queen's"Perfectly Lovely." Special Cable Despatch to THE SUN. LONDON, June 23 .- The main feature of

largely attended children's party in Buckingham Palace gardens this afternoon in honor of the ninth birthday of Prince Edward, eldest son of the Prince of Wales, was the appearance of the Williams and Walker troupe of negro performers. The King and Queen, the leading court and diplomatic dignitaries, a throng of royal

children and their playmates enjoyed selections from "In Dahomey." They applauded Bert Williams's rendering of "The Jonah Man," while Walker's "Castle on the Nile," with a dancing chorus, set even the royal feet to pattering. The hit of the entertainment, however, was a cakewalk, which their Majesties

specially demanded. Upon its conclusion the four contesting couples stepped to the front of the stage, while in true cakewalk style a cake was held in front of each couple, and the couple receiving the most applause was declared to be the winner.

The audience quickly grasped the idea. and entered into the spirit of the occasion with zest, the King and Queen merrily joining in the applause. The cake was awarded to Lavinia Gaston and Richard Covers, who, according to the negroes really deserved it. The presence of royalty produced awe

only in the case of the American stage managers, who were apparently afraid to move in the garden for fear of incurring the royal displeasure. The negroes were so unconcerned that during the wait for the beginning of the

performance they produced a set of dice and, in the words of Composer Cook: "In the garden of the King we found time for just one pass at craps for sixpence. Contrary to the usual custom, none of the performers or managers was pre-

sented to their Majesties. Walker thought that the King was the "real thing." He said he had a fine, jovial face, and that the Queen was "perfectly lovely." He expected that their Majesties would be stiff and icy, but instead they were warm and enthusiastic

"Yes," interposed Williams, "the most royal-acting persons were the servants. The King looks like a good fellow.

What most strongly impressed Williams was the behavior of the children and the extreme and unfailing gallantry of the little boys toward the little girls. He said he would never forget their manners. at 111 Division avenue, Williamsburg. He He saw a little girl chase a dog across the was the oldest of seven brothers, all of lawn. In so doing she passed the Ouesn. Immediately the child stopped, courtesied, and then renewed the chase.

"It was a great afternoon for us. I understand this was the first time their Majesties ever had musical comedians at the palace. I hope we entertained and interested their Majesties as much as they did us.

SLANDERED BROTHER OFFICER. Disnissal of Capt. Hamilton Expected in Porto Rico.

Special Cable Despatch to THE SUN SAN JUAN, P. R., June 23 -The inquiry by a military court into the charges against Capt. Hamilton of the Porto Rican regiment has been closed, and the evidence against the accused officer is so strong that it is believed Secretary of War Root will dismiss him without a court-martial. Capt. Harrilton is accused of circulating false reports in regard to the moral character of Capt. Hamill, a brother officer, who is now chief of the insular police— a post which Capt. Hamilton was also seeking.

It has been proved that Capt. Hamilton bribed soldiers, with honorable discharges and promotions, to promise to testify that Capt. Hamill was a man of immoral character He also made promises of places on the insular police force when he should succeed in ousting Capt. Hamill, in return for testimony in regard to the alleged bad conduct of the latter.

Capt. Hamilton admits his guilt, but has asked for a court-martial in view of his twenty years' service and the fact that he has a large family. It is reported that the court of inquiry will recommend his immediate dismissal.

MERCY FROM THE PRESIDENT. Frenchmen in Porto Rico Grateful for Clemency to a Counterfelter.

Special Cable Despatch to THE SUN.
SAN JUAN, P. R., June 23.—Gaston Sauveterre, a Frenchman, was convicted of counterfeiting on Jan. 21, 1902, and sentenced to ten years' imprisonment and to pay a fine of \$5,000. President Roosevelt has commuted the term of imprisonment to five years and remitted the fine. The French residents of the island, who have been complaining recently of what they called American injustices, are much gratified by the President's action, and are high in their praise of him.

Dutch Warship to Watch the Canal.

Special Cable Despatch to THE SUN. THE HAGUE, June 23 .- In the Second hamber of the States-General to-day the Minister of Marine announced that the Government considered it necessary to station a warship in West Indian waters, as the construction of the Panama Canal would increase the political importance of Dutch Guiana and the Island of Curaçoa.

Moat House Murderer Convicted. Special Cable Despatch to THE SUN.

LONDON, June 23.-The jury in the case of Samuel Herbert Dougal, who has been on trial at the Chelmsford Assizes for the murder of Miss Camille Cecile Holland, a wealthy woman with whom he lived at the Moat House, Saffron-Walden, Essex, to-day brought in a verdict of guilty and sentence of death was pronounced.

35.000 Tailors Threaten a Summer Strike. Demands have been made by all the unions in the Garment Workers' Trade Council of this city for a new wage scale for the summer trade. If these are refused a general strike (flecting 35,000 workers will be declared as soon as the weather becomes warmer. A conference is to be held in a few days between committees of the men and the manufacturers.

# BEST& @

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OUR SQUADRON AT KIEL. Interchange of Courtesles Between Amertean and German Officers.

Special Cable Despatch to THE SUN. KIEL, June 23 .- The American squadron ander Rear Admiral Cotton arrived at Kiel at noon to-day. Shortly after the arrival of the squadron

the Admirals of the American and German fleets exchanged visits. At 2 o'clock in the afternoon tea was given aboard the German Admiral's flagship, which the officers of the American vessels attended, principally for the purpose of making the acquaintance German officers, including Admiral

of the German officers, including Admiral Price Henry of Prussia.

So far the American yachts are represented only by Mrs. Goelet's ten-tonner Sivan. Five English racers are here—Cecil Quentin's Cicely and Cis, Claude Cayley's Adela, George Flett's Evelyn and the Isis, owned by a nephew of Sir Donald Currie. Ambassador and Mrs. Tower, the members of the American Embassy at Berlin, and Frank H. Mason, the American Consul-General at Berlin, have arrived here.

British Officers Acquitted of Ragging. Special Cable Despatch to THE SUN. CAPE Town, June 23.—The court-martial in the case of several officers accused of ragging has found the prisoners not guilty n all the charges.



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BIG SHOE FIRM IN TROUBLE. Attachments Placed on the Property of Lamkin & Foster of Boston.

Boston, June 23.-Lamkin & Foster, wholesale dealers in and manufacturers of boots, shoes and rubbers, are in financial difficulties, and it is said that the firm is anxious to make an assignment. It had difficulties, and it is said that the firm is anxious to make an assignment. It had been hoped that the assignment would be made to-day, but such action was prevented by the attitude of the banks involved. As the other alternative the firm has requested to be petitioned in insolvency.

Already some of its biggest creditors have had attachments amounting to between \$600,000 and \$700,000 put upon it, and a keeper was placed in the building last night. The concern has been doing a yearly business estimated at between \$1,500,000 and \$2,000,000.

JOTTINGS ABOUT TOWN.

The Aldermen authorized yesterday the issue of bonds for \$39,000 for the maintenance of the Brooklyn public baths and \$85,000 for the rebuilding of the county jall in Richmond. The headquarters of the American Protective Tariff League have been removed from Tewnty-third street to 339 Broadway, where the League's facilities for the distribution of documents will be greatly increased.

## KENNEDYS STORE Negligee Shirts-2 Bargains

White Madras, 98c. worth 1.50, Colored Madras, 79c. worth 1,25.



worth 4.00. Men's Hats. Ecuador Panamas, 1.75.



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